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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

'ILIO'ULAOKALANI COALITION, a)	CIVIL NO. 04-00502 DAE BMK
Hawaii nonprofit corporation;)	
NA 'IMI PONO, a Hawaii)	FEDERAL DEFENDANTS' WITHDRAWAL
unincorporated association;)	OF THEIR REQUEST TO CONDUCT
and KIPUKA, a Hawaii)	ADDITIONAL TRAINING AT
unincorporated association)	QUALIFICATION TRAINING RANGE
)	1; CERTIFICATE OF SERVICE
Plaintiffs,)	
)	
v.)	
)	
DONALD H. RUMSFELD, Secretary)	
of Defense; and LES BROWNLEE,)	
Acting Secretary of the)	
United States Department)	
of the Army)	
)	
Defendants.)	
_____)	

FEDERAL DEFENDANTS' WITHDRAWAL OF THEIR REQUEST
TO CONDUCT ADDITIONAL TRAINING AT QUALIFICATION TRAINING RANGE 1

On November 20, 2006, the Court held a status
conference on the appropriate scope of an interim injunction in

the above-referenced matter. During this conference, the Court discussed the need for limited and expedited discovery, supplemental briefing and scheduling for a hearing on the scope of an interim injunction. After the scheduling issues were discussed, the Court entertained Federal Defendants request that the U.S. Army be permitted to use the Tactical Vehicle Wash and Qualification Training Range 1 ("QTR1") for Stryker Brigade Combat Team ("SBCT") specific training, both of which were enjoined by the Ninth Circuit in its October 27, 2006 temporary injunction order. The Court granted the Federal Defendants' motion to use the Tactical Vehicle Wash immediately, but requested further briefing on the issue of whether SBCT-specific training at QTR1 should continue before the Court decides the scope of an interim injunction. After the conference, the parties discussed this matter and Plaintiffs remain opposed to the use of QTR1 for SBCT-specific training.

Since the Court requested that discovery be completed in an expeditious manner and a hearing be held no later than December 18, 2006, the Federal Defendants believe it would be more appropriate to address this contested issue at the hearing on the scope of an interim injunction. Accordingly, the parties have conferred and agree that no additional briefing on the issue of expanding use of QTR1 for SBCT-specific training will be filed with the Court on November 22, 2006 and any additional briefing on this issue will be filed after discovery is completed and at

the hearing in this matter. Federal Defendants thank the Court for its courtesy.

DATED: November 21, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

/s/ Thomas Helper

By _____
HARRY YEE
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Hawai'i nonprofit corporation;)	
NA 'IMI PONO, a Hawai'i)	CERTIFICATE OF SERVICE
unincorporated association;)	
and KIPUKA, a Hawai'i)	
unincorporated association,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
DONALD H. RUMSFELD, Secretary)	
of Defense; and FRANCIS J.)	
HARVEY, Secretary of the)	
United States Department of)	
the Army,)	
)	
Defendants.)	
)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served Electronically through CM/ECF:

David L. Henkin dhenkin@earthjustice.org

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Attorneys for Plaintiffs

DATED: November 21, 2006, at Honolulu, Hawaii.

/s/ Jan Yoneda
